

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

RICHARD CASEY RHODEN,

Plaintiff,

v.

No. 15-1304

STATE OF TENNESSEE,

Defendant.

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ORDER ADOPTING REPORT AND RECOMMENDATION AND  
DENYING PLAINTIFF'S MOTION TO PROCEED *IN FORMA PAUPERIS*

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The Plaintiff, Richard Casey Rhoden, initiated a *pro se* action in the Circuit Court of Chester County, Tennessee, and then, on December 14, 2015, removed it to this Court. (Docket Entry ("D.E.") 1.) He also applied to the Court for leave to proceed *in forma pauperis*. (D.E. 2.) On December 18, 2015, the Court directed him to file a properly completed *in forma pauperis* affidavit or pay the civil filing fee. (D.E. 5.) Rhoden again sought prepayment of fees, using the Court's official form, on December 21, 2015. (D.E. 6.) In a report and recommendation entered on January 5, 2016, United States Magistrate Judge Edward G. Bryant recommended that the application for leave to proceed *in forma pauperis* be denied. (D.E. 8.) In his report, Judge Bryant found that Rhoden's December 21, 2015, filing failed to provide sufficient financial information and, therefore, Plaintiff had not satisfied his burden of establishing that he was unable to pay the civil filing fee. (*Id.*)

As no objections have been filed and upon review of the docket, the report and recommendation is hereby ADOPTED and the motion is DENIED. This order terminates D.E. 2

and D.E. 6.

IT IS SO ORDERED this 27th day of January 2016.

s/ J. DANIEL BREEN  
CHIEF UNITED STATES DISTRICT JUDGE